



Proskauer Rose LLP Eleven Times Square New York, NY 10036-8299

March 8, 2023

By eFile

The Honorable Paul A. Engelmayer
United States District Court
Southern District of New York
Thurgood Marshall
40 Foley Square
New York, NY 10007

Lloyd B. Chinn
Member of the Firm
d +1.212.969.3341
f 212.969.2900
lchinn@proskauer.com
www.proskauer.com

Re: *Teyo Johnson v. Everyrealm et al.*, Case No. 1:22-cv-06669(PAE)(GWG)
Request for Extension of the Everyrealm Defendants' Deadline to Respond to Johnson's
Second Amended Complaint and the Parties' Deadline to Submit a Proposed Case
Management Plan

Dear Judge Engelmayer:

We write to respectfully request an extension of the Everyrealm Defendants' March 10, 2023 deadline to file their motion to dismiss and/or answer.

On February 24, 2023, the Court set the Everyrealm Defendants' deadline to file their motion to dismiss and/or answer to Johnson's Second Amended Complaint, and the Parties' deadline to submit their proposed case management plan, for March 10, 2023. On March 6, 2023, Counsel for Johnson advised that Johnson intends to seek leave to amend his Second Amended Complaint. During a March 7, 2023 telephone call, Counsel for Johnson reiterated that intent, stating that Johnson would seek to amend "next week" (although he declined to describe the contemplated revisions).

As Johnson has apparently already decided to seek leave to amend, the Everyrealm Defendants believe that being forced to file a motion to dismiss and/or answer on the current schedule would, at least potentially, constitute a waste of time and resources. There should be clarity as to the operative complaint before the Everyrealm Defendants file a further motion to dismiss and/or answer.

In light of the foregoing, the Everyrealm Defendants request an extension of their deadline to file any responsive pleading for at least fourteen (14) days following the Court's resolution of any motion for leave to amend filed by Johnson. Under the circumstances, we would also note that, in light of the anticipated motion for leave to amend and potential further motion to dismiss, it might also make sense to postpone the submission of a case management plan until the claims pending before the Court become clear.

We have met and conferred with Counsel for Johnson, who does not oppose the Everyrealm Defendants' request to postpone the due date for their answer/motion to dismiss until after the



The Honorable Paul A. Engelmayer
March 8, 2023
Page 2

anticipated motion for leave to amend has been resolved. The Everyrealm Defendants have not requested any previous extension of this deadline.

Respectfully submitted

/s/ Lloyd B. Chinn
Lloyd B. Chinn, Esq.
Eleven Times Square
New York, New York 10036-8299
Ph. (212) 969-3000
Fax (212) 969-2900
lchinn@proskauer.com
*Attorney for Everyrealm Inc.
(f/k/a Republic Realm Inc.),
Julia Schwartz, Janine Yorio,
and William Kerr*